

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**STRAGENT, LLC, ET AL.**

*Plaintiffs,*

**v.**

**INTEL CORPORATION,**

*Defendant.*

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**CIV. ACTION NO. 6:11-CV-421-LED-  
JDL**

**JURY TRIAL DEMANDED**

**JOINT MOTION FOR LEAVE TO AMEND P.R. 3-1 AND P.R. 3-3 CONTENTIONS**

Plaintiffs Stragent, LLC and TAG Foundation (collectively, “Stragent”) and Defendant Intel Corporation (“Intel”) jointly move the Court under Patent Rule 3-6 for leave to amend and supplement Stragent’s Patent Rule 3-1 Infringement Contentions and Intel’s Patent Rule 3-3 Invalidity Contentions.

Under the Court’s original Docket Control Order (Dkt. No. 39), Stragent timely served P.R. 3-1 Infringement Contentions, and Intel timely served P.R. 3-3 Invalidity Contentions. Stragent seeks to amend its P.R. 3-1 Infringement Contentions to add accused products that were released by Intel after Stragent served its original Contentions. Stragent also seeks to include citations to accused product source code and to claim 16 of the ’072 patent as an asserted claim.

Intel seeks to amend its P.R. 3-3 Invalidity Contentions to include citations to source code for prior art products that were identified in its original Contentions. Intel also seeks to include citations to prior art references that have been disclosed to Stragent and that were discovered after Intel’s original Contentions and to address the newly asserted claim 16 from the ’072 patent identified in Stragent’s amended Infringement Contentions.

The Markman hearing in this case is still three months away. The parties agree that good cause exists for Stragent to amend Stragent's Patent Rule 3-1 Infringement Contentions and for Intel to amend its Patent Rule 3-3 Invalidity Contentions. Given that Stragent served its amended Infringement Contentions on November 21, 2012, the parties agree that Intel should have until December 28, 2012 to serve its amended Invalidity Contentions.

Accordingly, Stragent and Intel respectfully request that the Court grant the parties' motion for leave to amend their respective Infringement and Invalidity Contentions as described above, and to amend the Amended Docket Control Order (Dkt. No. 58) to add a deadline to allow Intel until December 28, 2012 to serve its amended Invalidity Contentions. This Motion will not affect any deadlines currently specified in the Amended Docket Control Order (Dkt. No. 58). A proposed order is attached for the Court's consideration.

Dated: December 14, 2012

Respectfully submitted,

By: /s/ Michael D. Broaddus (w/permission by Allen F. Gardner)

Michael D. Broaddus  
mbroaddus@perkinscoie.com  
Christina J. McCullough  
cmcullough@perkinscoie.com  
PERKINS COIE LLP  
1201 Third Avenue, 48th Floor  
Seattle, Washington 98101  
Tel.: (206) 359-8000  
Fax: (206) 359-9000

Chad S. Campbell  
cscampbell@perkinscoie.com  
Aaron H. Matz  
amatz@perkinscoie.com  
Tyler R. Bowen  
tbowen@perkinscoie.com  
PERKINS COIE LLP  
2901 North Central Avenue, Suite 2000  
Phoenix, Arizona 85012-2788  
Tel.: (602) 351-8393  
Fax: (602) 648-7193

Michael E. Jones  
State Bar No. 10929400  
mikejones@potterminton.com  
Allen F. Gardner  
State Bar No. 24043679  
allengardner@potterminton.com  
POTTER MINTON  
A Professional Corporation  
110 North College, Suite 500  
Tyler TX 75702  
Telephone: 903-597-8311  
Facsimile: 903-593-0846

Robert M. Parker  
rmparker@pbatyler.com  
Robert Christopher Bunt  
rcbunt@pbatyler.com  
PARKER, BUNT & AINSWORTH, P.C.  
100 E. Ferguson, Suite 1114  
Tyler, Texas 75702  
Tel.: (903) 531-3535  
Fax: (903) 533-9687

**ATTORNEYS FOR DEFENDANT  
INTEL CORPORATION**

/s/ Eric M. Albritton (w/permission by Allen F. Gardner)

Eric M. Albritton  
Texas State Bar No. 00790215  
ema@emafirm.com  
Stephen E. Edwards  
Texas State Bar No. 00784008  
see@emafirm.com  
Debra Coleman  
Texas State Bar No. 24059595  
drc@emafirm.com  
ALBRITTON LAW FIRM  
P.O. Box 2649  
Longview, Texas 75606  
Telephone: (903) 757-8449  
Facsimile: (903) 758-7397

Barry J. Bumgardner  
Texas State Bar No. 24041918  
barry@nbclaw.net  
Jaime K. Olin  
Texas State Bar No. 24070363  
jolin@nbclaw.net  
NELSON BUMGARDNER CASTO, P.C.  
3131 West 7th Street, Suite 300  
Fort Worth, Texas 76107  
Telephone: (817) 377-9111  
Facsimile: (817) 377-3485

**COUNSEL FOR PLAINTIFFS STRAGENT, LLC  
AND TAG FOUNDATION**

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document is being filed electronically in compliance with Local Rule CV-5(a). As such, this document will be served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), any counsel of record not deemed to have consented to electronic service will be served with a true and correct copy of the foregoing by email on December 14, 2012.

/s/ Allen F. Gardner

Allen F. Gardner

**CERTIFICATE OF CONFERENCE**

I hereby certify that the parties have complied with the meet and confer requirement of Local Rule CV-7(h). All parties join in this motion.

/s/ Allen F. Gardner

Allen F. Gardner